

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re

Chapter 11

HYPNOTIC TAXI LLC, et al.¹,

Case No. 15-43300 (CEC)

Debtors.

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CITIBANK, N.A.,

Plaintiff,

Adv. Pro. No. 15-01185 (CEC)

- against -

BOMBSHELL TAXI LLC, et al.,

Defendants.

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ORDER STAYING THE ORDER OF ATTACHMENT

¹ The Debtors in these cases, along with the last four digits of their federal tax identification numbers are (i) Hypnotic Taxi LLC (6632)(Case No. 15-43300); (ii) Bombshell Taxi LLC (1282)(Case No. 15-43301); (iii) Bourbon Taxi LLC (7155)(Case No. 15-43302); (iv) Butterfly Taxi LLC (6992)(Case No. 15-43303); (v) Candy Apple Taxi LLC (0249)(Case No. 15-43304); (vi) Chianti Taxi, LLC (6799)(Case No. 15-43305); (vii) Chopard Taxi Inc. (0746)(Case No. 15-43306); (viii) Cupcake Taxi LLC (0324)(Case No. 15-43307); (ix) Dorit Transit Inc. (9129)(Case No. 15-43308); (x) France Taxi LLC, (9592)(Case No. 15-43309); (xi) Hennessey Taxi Inc. (4039)(Case No. 15-43310); (xii) Iceberg Taxi Inc. (5877)(Case No. 15-43311); (xiii) Marseille Taxi LLC (9890)(Case No. 15-43312); (xiv) Merlot Taxi LLC (7103)(Case No. 15-43313); (xv) Milkyway Cab Corp. (5061)(Case No. 15-43314); (xvi) Palermo Taxi, Inc. (5956)(Case No. 15-43315); (xvii) Pinot Noir Taxi LLC (6725)(Case No. 15-43316); (xviii) Pointer Taxi LLC, (2323)(Case No. 15-43317); (xix) Pudding Taxi Inc. (0432)(Case No. 15-43318); (xx) Stoli Taxi Inc. (4079)(Case No. 15-43319); (xxi) Vodka Taxi LLC (4239)(Case No. 15-43320); and (xxii) VSOP Taxi Inc. (3909)(Case No. 1543321).

WHEREAS, on November 5, 2015 Citibank, N.A. (“Citibank”) filed an order to show cause and a request for a temporary restraining order (ECF Doc. No. 4) in this Court to be heard on November 12, 2015; and

WHEREAS, the order to show cause sought an attachment of the property of Evgeny Freidman (“Freidman”), including property transferred from Freidman to certain trusts; and

WHEREAS, it appears that on or about June 15, 2015 Freidman transferred to certain trusts (“the Trusts”) his interests in certain corporations and limited liability companies which own real property as set forth in Exhibit H to Citibank’s motion (ECF Doc. No. 4); and

WHEREAS, the court issued an order to show cause with a temporary restraining order on November 5, 2012, (ECF Doc. No. 6); and

WHEREAS, a hearing was held in this court on November 12, 2015 on the order to show cause; and

WHEREAS, on November 12, 2015 a scheduling order was entered, setting a hearing for November 20, 2015 at 9:30 A.M. on Citibank’s motion for an order of attachment; and

WHEREAS, on November 13, 2015 a further hearing was held; and

WHEREAS, based upon the record made at the hearings held on November 12, 2015 and November 13, 2015, an order of attachment in favor of Citibank was entered on November 17, 2015; and

WHEREAS, at the hearing held on November 13, 2015, the Court determined that the hearing scheduled pursuant to the order entered on November 12, 2015 for

November 20, 2015 shall, pursuant to Article 62 of the CPLR be with respect to the confirmation of the order of attachment entered on November 17, 2015; and

WHEREAS, at a telephone conference held on November 16, 2015, the parties agreed to adjourn the hearing scheduled for November 20, 2015 to November 30, 2015; and

WHEREAS, a further hearing was held on November 18, 2015;

NOW, THEREFORE, IT IS HEREBY;

ORDERED, that the Order of Attachment entered on November 17, 2015 (ECF Doc No. 28) is hereby stayed; and it is further

ORDERED, that the hearing scheduled pursuant to the Scheduling Order entered November 17, 2015 (ECF Doc. No. 30), for November 30, 2015 at 9:30 am, shall be with respect to Citibank's motion for an order of attachment (ECF Doc. No. 4); and it is further

ORDERED, that any party in interest wishing to present evidence at the hearing on November 30, 2015 shall file a pre-trial statement by November 27, 2015, identifying witnesses and summarizing testimony, with attached copies of evidence which will be offered; and it is further

ORDERED, that any documents not filed, and witness testimony not summarized by November 27, 2015 may not be received in evidence; and it is further

ORDERED, that the temporary restraining order (ECF Doc. No. 6), as amended by the Order Amending TRO and Authorizing Additional Discovery (ECF Doc. No. 29), will continue in effect pending hearing and determination of Citibank's motion for an order of attachment (ECF Doc. No. 4); and it is further

ORDERED, that Evgeny Freidman and counsel shall attend the November 30, 2015 hearing in person.

Dated: Brooklyn, New York
November 19, 2015



Carla E. Craig

Carla E. Craig
United States Bankruptcy Judge